

EXHIBIT 14

HON. MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

BUNGIE, INC.,

Plaintiffs,

vs.

NICHOLAS MINOR a/k/a "LORD NAZO,"

Defendant.

Case No.: 2:22-CV-371-MJP

**DEFENDANT'S RESPONSES TO
PLAINTIFF'S FIRST SET OF
REQUESTS FOR ADMISSIONS**

PROPOUNDING PARTY: Plaintiff BUNGIE, INC.

RESPONDING PARTY: Defendant NICHOLAS MINOR

SET NUMBER: ONE

Pursuant to Federal Rules of Civil Procedure section 33, Defendant NICHOLAS MINOR (“Minor” or “Responding Party”) hereby submits his responses to Plaintiff BUNGIE, INC.’s First Set of Requests for Admissions.

GENERAL OBJECTIONS

Responding Party makes the following general objections to each and all of Plaintiff's Requests for Admissions and these general objections are specifically incorporated into each and all of the enumerated responses reflected hereinafter:

1 1. Responding Party objects to each and every Request for Admission to the extent it
2 seeks information protected by the attorney-client privilege and/or the attorney work-product
3 privilege. Responding Party hereby claims the attorney-client privilege and invokes the attorney
4 work-product doctrine for any and all information protected by the attorney-client privilege and/or
5 attorney work-product doctrine.

6 2. Responding Party objects to each and every Request for Admission to the extent it
7 seeks information that cannot be disclosed without violating the right of privacy of any person or
8 entity or that is otherwise privileged or immune from discovery.

9 3. Responding Party objects to each and every Request for Admission to the extent it
10 seeks information for a time period that is overbroad and that encompasses dates not relevant to
11 this litigation.

12 4. Responding Party expressly reserves all objections regarding the competency,
13 relevance, materiality, probative value and admissibility of all information, and nothing herein
14 shall be construed as an admission by Responding Party regarding the admissibility or relevance
15 of any fact or document, or of the truth or accuracy of any characterization contained in Plaintiff's
16 discovery requests.

17 5. Responding Party has not completed its investigation of this action, has not
18 completed discovery, and has not completed its trial preparation. The responses hereinafter are
19 based on Responding Party's knowledge, information and belief at this time, and are made without
20 prejudice to the foregoing objections. It is anticipated that further independent investigation,
21 discovery, legal research and analysis will supply additional facts, add meaning to the known facts,
22 and establish entirely new factual conclusions and legal contentions, all of which may lead to
23 substantial additions to, changes in and variations from the contentions and facts set forth herein.

24 6. Responding Party objects to the Instructions provided by Plaintiff to the extent that
25 they exceed the requirements of the Federal Rules of Civil Procedure.

Subject to and without waiving the foregoing objections, Responding Party responds to Plaintiff's Requests for Admissions as follows:

RESPONSES TO REQUESTS FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 1:

Admit that YOU were the sole owner of the YouTube account “Lord Nazo”.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Admit.

REQUEST FOR ADMISSION NO. 2:

Admit that YOU were the only person you are aware of who ever used the YouTube account “Lord Nazo”.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Admit.

REQUEST FOR ADMISSION NO. 3:

Admit that YOU are the sole owner of the account associated with the JA10000000@gmail.com address.

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Deny.

REQUEST FOR ADMISSION NO. 4:

Admit that YOU are the only person you are aware of who used the account associated with the JA10000000@gmail.com address.

RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Deny.

REQUEST FOR ADMISSION NO. 5:

Admit that YOU accepted Bungie's Limited Service License Agreement.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

2 Responding Party objects to the term “accepted” as vague, ambiguous and calling for a
3 legal conclusion. Without waiving such objection, and limiting the term “accepted” to having
4 clicked on the space denoted “I Accept” or similar language, Responding Party responds as
5 follows:

6 Admit.

7 **REQUEST FOR ADMISSION NO. 6:**

8 Admit that YOU were the creator of the JeremyWilandCSC@gmail.com account.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

10 Admit.

11 **REQUEST FOR ADMISSION NO. 7:**

12 Admit that YOU were the sole user of the JeremyWilandCSC@gmail.com account.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

14 Admit.

15 **REQUEST FOR ADMISSION NO. 8:**

16 Admit that YOU were the creator of the damianreynoldsCSC@gmail.com account.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

18 Admit.

19 **REQUEST FOR ADMISSION NO. 9:**

20 Admit that YOU were the sole user of the damianreynoldsCSC@gmail.com account.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

22 Admit.

23 **REQUEST FOR ADMISSION NO. 10:**

24 Admit that YOU were the creator of the jacobaverz@gmail.com account.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

26 Admit.

1 **REQUEST FOR ADMISSION NO. 11:**

2 Admit that YOU were the sole user of the jacobaverz@gmail.com account.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

4 Admit.

5 **REQUEST FOR ADMISSION NO. 12:**

6 Admit that YOU were the creator of the JA10000000@gmail.com account.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

8 Deny.

9 **REQUEST FOR ADMISSION NO. 13:**

10 Admit that YOU were the sole user of the JA10000000@gmail.com account.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

12 Deny.

13 **REQUEST FOR ADMISSION NO. 14:**

14 Admit that YOU wrote the March 21st email to davidthomsonscs@gmail.com accusing him
15 of issuing fake DMCA Takedowns.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

17 Admit.

18 **REQUEST FOR ADMISSION NO. 15:**

19 Admit that YOU wrote and sent the Manifesto.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

21 Admit.

22 **REQUEST FOR ADMISSION NO. 16:**

23 Admit that YOU uploaded *The Last Stand* to YOUR Lord Nazo YouTube Channel.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

25 Admit.

1 **REQUEST FOR ADMISSION NO. 17:**

2 Admit that YOU identified YOURSELF as a CSC representative when filing DMCA
3 takedown notices from February 5th to March 21, 2022.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

5 Admit.

6 **REQUEST FOR ADMISSION NO. 18:**

7 Admit that YOU knew YOU were not a CSC representative.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 18:**

9 Admit.

10 **REQUEST FOR ADMISSION NO. 19:**

11 Admit that YOU knew YOU were not acting on Bungie's behalf, nor with their
12 authorization, when YOU filed the Fraudulent Takedowns.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

14 Responding Party objects to the term "Fraudulent Takedowns" and the definition stated in
15 Plaintiff's Interrogatories as vague, ambiguous and misleading. In answering this interrogatory,
16 Responding Party does not agree or concede that the notices issued were "fraudulent" or
17 "fraudulent takedowns." Without waiving such objections, Responding Party responds as follows:

18 Admit.

19 **REQUEST FOR ADMISSION NO. 20:**

20 Admit that YOU filed DMCA Takedowns using the email address
21 jeremywilandcsc@gmail.com.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 20:**

23 Admit.

24 **REQUEST FOR ADMISSION NO. 21:**

25 Admit that YOU filed DMCA Takedowns using the email address
26 damianreynoldscsc@gmail.com.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 21:**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 22:**

4 Admit that YOU filed a DMCA takedown request using the email address
5 jacobaverz@gmail.com.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 22:**

7 Admit.

8 **REQUEST FOR ADMISSION NO. 23:**

9 Admit that when YOU filed at least one of the Fraudulent Takedowns, you identified
10 yourself as acting on Bungie's behalf.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 23:**

12 Responding Party objects to the term "Fraudulent Takedowns" and the definition stated in
13 Plaintiff's Interrogatories as vague, ambiguous and misleading. In answering this interrogatory,
14 Responding Party does not agree or concede that the notices issued were "fraudulent" or
15 "fraudulent takedowns." Without waiving such objections, Responding Party responds as follows:

16 Admit.

17 **REQUEST FOR ADMISSION NO. 24:**

18 Admit that YOU filed each of the Fraudulent Takedowns, you identified yourself as acting
19 on Bungie's behalf.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

21 Responding Party objects to this request as unintelligible. Responding Party further objects
22 to the term "Fraudulent Takedowns" and the definition stated in Plaintiff's Interrogatories as
23 vague, ambiguous and misleading. In answering this interrogatory, Responding Party does not
24 agree or concede that the notices issued were "fraudulent" or "fraudulent takedowns." Without
25 waiving such objections, Responding Party responds as follows:

26 Admit.

1 **REQUEST FOR ADMISSION NO. 25:**

2 Admit that in the counternotification referenced in Request for Admission No. 25, YOU
3 claimed that the takedown notice to which you were responding was based on a mistake or
4 misidentification.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

6 Responding Party objects to this request as unintelligible.

7 **REQUEST FOR ADMISSION NO. 26:**

8 Admit that YOU were the creator of the Twitter account @LordNazo.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

10 Admit.

11 **REQUEST FOR ADMISSION NO. 27:**

12 Admit that YOU were the sole user of the Twitter account @LordNazo.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 27:**

14 Admit.

15 **REQUEST FOR ADMISSION NO. 28:**

16 Admit that YOU were the creator of the Reddit account /u/LordNazo.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 28:**

18 Admit.

19 **REQUEST FOR ADMISSION NO. 29:**

20 Admit that YOU were the sole user of the Reddit account /u/LordNazo.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 29:**

22 Admit.

23 **REQUEST FOR ADMISSION NO. 30:**

24 Admit that YOU created the minor.n.personal@gmail.com gmail account.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 30:**

26 Admit.

1 **REQUEST FOR ADMISSION NO. 31:**

2 Admit that YOU are the sole user of the minor.n.personal@gmail.com

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 31:**

4 Admit.

5 **REQUEST FOR ADMISSION NO. 32:**

6 Admit that on March 29th, 2022, YOU emailed Tim Billick and admitted to issuing the
7 Fraudulent Takedowns.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 32:**

9 Admit.

10 **REQUEST FOR ADMISSION NO. 33:**

11 Admit that on, June 22nd, 2022, YOU emailed Tim Billick and offered to “turn yourself in”
12 to Bungie.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 33:**

14 Admit.

15 **REQUEST FOR ADMISSION NO. 34:**

16 Admit that, at least once, YOU identified yourself acting on behalf of “Bungie, Inc.” in the
17 Fraudulent Takedowns.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 34:**

19 Admit.

20 **REQUEST FOR ADMISSION NO. 35:**

21 Admit that in each Fraudulent Takedown YOU identified yourself as acting on behalf of
22 “Bungie, Inc.”

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 35:**

24 Admit.

25 **REQUEST FOR ADMISSION NO. 36:**

26 Admit that YOU filed the DMCA takedowns intentionally.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 36:**

2 Admit.

3 Dated: February 28, 2023

Respectfully submitted,

4 /s/ *Petra M. Reinecke*

5 *Pro hac vice*

6 Petra M. Reinecke (CA Bar No. 154482)

7 Law Offices of Petra M. Reinecke

8 90 New Montgomery Street, Suite 1250

9 San Francisco, CA 94105

10 Telephone: (415) 591-1102

11 Email: pmrlawoffices@gmail.com

12 /s/ *Brian H Getz*

13 *Pro hac vice*

14 Brian H Getz (CA Bar No. 85593)

15 Law Office of Brian H Getz

16 90 New Montgomery Street, Suite 1250

17 San Francisco, CA 94105

18 Telephone: (415) 912-5886

19 Email: brian@briangetzlaw.com

20 Attorneys for Defendant NICHOLAS MINOR

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VERIFICATION

I, NICHOLAS MINOR, declare:

I am the defendant in this action. I have read the foregoing **DEFENDANT'S RESPONSES TO PLAINTIFF'S FIRST SET OF REQUESTS FOR ADMISSIONS**. The same is true of my own knowledge, except as to those matters that are therein alleged on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed on February 28, 2023, at Rocklin, California.

Nicholas Minor

NICHOLAS MINOR

PROOF OF SERVICE

I declare as follows: I am employed in the County of San Francisco, State of California. I am over eighteen (18) years of age and not a party to the entitled action listed below. My business address is 90 New Montgomery Street, Suite 1250, San Francisco, CA 94105.

On the below stated date, the document described as

- DEFENDANT'S RESPONSES TO PLAINTIFF'S FIRST SET OF REQUESTS FOR ADMISSIONS

was served on:

Akiva M. Cohen
1700 Broadway
New York, NY 10019
acohen@kusklaw.com

Dylan M. Schmeyer
750 W. 148th Ave. #4216
Westminster, CO 80023
dschmeyer@kusklaw.com

Attorney for Plaintiff

Attorney for Plaintiff

_____ (BY MAIL) I caused a true copy of each document(s) to be placed in a sealed envelope with first-class postage affixed and placed the envelope for collection. Mail is collected daily at my office and placed in a United States Postal Service collection box for pickup that same day.

(BY HAND DELIVERY) I caused a sealed envelope containing a true copy of each document(s) to be delivered by hand to the office(s) of each addressee listed above.

XXX (BY ELECTRONIC MAIL) by transmitting the document(s) listed above, electronically, via the e-mail addresses. Service by e-mail is deemed the equivalent of service by overnight mail under the Rule 12(b) of the Emergency California Rules of Court Related to COVID-19.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on **February 28, 2023**, at San Francisco, California.

Danielle Prince-Barkoren

Danielle Prince-Barkoren